

Appl. No. 09/555,592
Amdt. Dated October 11, 2004
Reply to Office action of July 12, 2004
Attorney Docket No. P08778-US1
EUS/J/P/04-2131

REMARKS/ARGUMENTS

1.) Claim Rejections-35 U.S.C. § 112

The Examiner rejected claims 1-3, 8 and 9 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement, asserting that new matter was added to claim 1 in Applicants' previous response. The Examiner states that, with regard to claim 1, "a list of said gateways is stored in the by-pass network . . ." is not supported by the original disclosure. The Applicants traverse the rejection.

The limitation of claim 1 noted by the Examiner was previously within claim 7, which the Examiner identified as allowable subject matter in the prior Office Action. In response to that Office Action, the Applicants amended claim 1 to include the limitations of claim 7. Now, however, the Examiner asserts that the "allowable subject matter" of claim 7 added to claim 1 is not supported by the original disclosure. The Examiner reads prior claims 6 and 7, together with the specification at page 7, lines 29-30, to support his assertion that the list of gateways in the by-pass network must be stored in an intelligent network (IN) node. This reading of those claims is not accurate.

First, claim 6 stated that "a process for finding the most appropriate gateway . . . is carried out in the intelligent network (IN)." (emphasis added) In other words, claim 6 does not restrict the storing of a list of gateways in an IN node, but states only that the process of finding the most appropriate gateway is performed in the IN network. Second, claim 7 stated that "there is maintained an updated list of gateways in the by-pass network," which, as those skilled in the art can recognize from the specification, is not (necessarily) the IN network. Thus, a process performed in the IN network can access a list of gateways maintained in the by-pass network to find the most appropriate gateway for the call. These aspects of the invention are disclosed by the original specification and claims, including the claims of the priority application. Therefore, the Examiner's rejection of claim 1 as failing to comply with the written description requirement should be withdrawn. Whereas claims 2-3 and 8-9 are dependent on claim 1, and include the limitations thereof, the rejection of those should also be withdrawn.

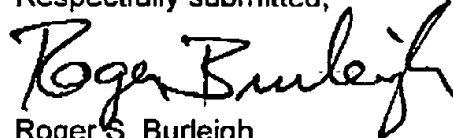
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CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1-3 and 8-9.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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